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California
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9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **FOR THE COUNTY OF MENDOCINO**
11

12 THE PEOPLE OF THE STATE OF
CALIFORNIA,

13
14 Plaintiff,

15 v.

16 LANCE ANTHONY ROBLES (4/17/63)

17 MARTY LINN HOLLOWAY (5/07/62)

18 LEROY NICOLAS ROBLES JR. (1/15/65)

19 Defendants.
20

Case No.

**FELONY COMPLAINT FOR ARREST
WARRANT**

21 The People of the State of California upon oath of the undersigned, upon information and belief
22 complain against the defendants above named for the crimes as follows:

23 **COUNT ONE**

24 On or about and between March 1, 2006 and April 15, 2006, at and in the Counties of
25 Mendocino and San Francisco, defendants LANCE ANTHONY ROBLES, MARTY LINN
26 HOLLOWAY, and LEROY NICOLAS ROBLES JR. did commit a felony, namely: a violation
27 of Section 182(a)(1) of the Penal Code of the State of California in that said defendants did
28 unlawfully conspire together and with another person and persons whose identity is unknown to

ENDORSED-FILED

JUN 27 2006

CLERK OF MENDOCINO COUNTY
SUPERIOR COURT OF CALIFORNIA

1 commit the crime of harvesting abalone for commercial purposes from a closed area in violation
2 of section 5521.5 of the Fish and Game Code of the State of California; that pursuant to and for
3 the purpose of carrying out the objects and purposes of the aforesaid conspiracy, the said
4 defendants committed the following overt act and acts in furtherance of the conspiracy alleged in
5 Count One.

6 Overt Act Number 1. That in furtherance of said conspiracy, on April 5, 2006, MARTY LINN
7 HOLLOWAY purchased a pre-paid phone card at a Rite-Aid store in Fort
8 Bragg.

9 Overt Act Number 2. That in furtherance of said conspiracy, on April 5, 2006, LEROY
10 NICOLAS ROBLES JR. and MARTIN LINN HOLLOWAY engaged in a
11 conversation of approximately ten minutes overlooking the ocean near
12 33250 Schoeffler Lane in Fort Bragg.

13 Overt Act Number 3. That in furtherance of said conspiracy, on April 5, 2006, MARTY LINN
14 HOLLOWAY drove a green Chevrolet pickup truck to a residence
15 occupied by LEROY NICOLAS ROBLES JR. on South Harold in Fort
16 Bragg.

17 Overt Act Number 4. That in furtherance of said conspiracy, on April 6, 2006, MARTY LINN
18 HOLLOWAY placed a green plastic tote into the back of a green
19 Chevrolet pickup, California license 5J37005.

20 Overt Act Number 5. That in furtherance of said conspiracy, on April 6, 2006, MARTY LINN
21 HOLLOWAY placed a blue and yellow dive tube into the back of a green
22 Chevrolet pickup, California license 5J37005.

23 Overt Act Number 6. That in furtherance of said conspiracy, on April 6, 2006, MARTY LINN
24 HOLLOWAY placed a metal standing table top weight scale into the back
25 of a green Chevrolet pickup, California license 5J37005.

26 Overt Act Number 7. That in furtherance of said conspiracy, on April 6, 2006, MARTY LINN
27 HOLLOWAY placed a 48-quart blue and white cooler into the back of a
28 green Chevrolet pickup, California license 5J37005.

1 Overt Act Number 8. That in furtherance of said conspiracy, on April 6, 2006, MARTY LINN
2 HOLLOWAY and LANCE ANTHONY ROBLES drove to a Chevron
3 gasoline station on Highway 1 in Fort Bragg and filled it with \$40 worth
4 of gasoline.

5 Overt Act Number 9. That in furtherance of said conspiracy, on April 6, 2006, MARTY LINN
6 HOLLOWAY and LANCE ANTHONY ROBLES drove to the town of
7 Navarro.

8 **COUNT TWO**

9 For a further and separate cause of action, being a different offense of the same class of crimes
10 and offenses as the charges set forth in Count One hereof: On or about and between March 1,
11 2006 and April 15, 2006, at and in the Counties of Mendocino and San Francisco, the said
12 LANCE ANTHONY ROBLES, MARTY LINN HOLLOWAY, and LEROY NICOLAS
13 ROBLES did commit a felony, namely: a violation of Section 182(a)(1) of the Penal Code of the
14 State of California in that said defendants did unlawfully conspire together and with another
15 person and persons whose identity is unknown to commit the crime of selling and purchasing of
16 fish (abalone) in violation of section 7121 of the Fish and Game Code of the State of California;
17 that pursuant to and for the purpose of carrying out the objects and purposes of the aforesaid
18 conspiracy, the said defendants committed the following overt act and acts in furtherance of the
19 conspiracy alleged in Count Two:

20 Overt Act Number 10. That in furtherance of said conspiracy, On March 26, 2006 at
21 approximately 9:41 P.M., LANCE ANTHONY ROBLES placed a telephone
22 call to a cellular phone registered to Wei Bing.

23 Overt Act Number 11. That in furtherance of said conspiracy, on April 1, 2006, LANCE
24 ANTHONY ROBLES and MARTY LINN HOLLOWAY went to the
25 China House Restaurant in San Francisco.

26 Overt Act Number 12. That in furtherance of said conspiracy, on April 1, 2006, LANCE
27 ANTHONY ROBLES gave a totebag containing abalone to MIKE YUK
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TANH HA at the China House Restaurant in San Francisco.

Overt Act Number 13. That in pursuance of said conspiracy, on April 2, 2006, MARTY LINN HOLLOWAY purchased a cellular telephone at Parrot Cellular, located at or near 2300 Lombard Street in San Francisco.

Overt Act Number 14. That in furtherance of said conspiracy, on April 4, MARTY LINN HOLLOWAY placed a telephone call to BAO JIAN ZHANG.

Overt Act Number 15. That in furtherance of said conspiracy, on April 4, 2006, LEROY NICOLAS ROBLES JR. and MARTY LINN HOLLOWAY crossed the Golden Gate Bridge into San Francisco.

Overt Act Number 16. That in furtherance of said conspiracy, on April 4, 2006, MARTY LINN HOLLOWAY and LEROY NICOLAS ROBLES JR. entered Bob's Sushi restaurant in San Francisco.

Overt Act Number 17. That in furtherance of said conspiracy, on April 4, 2006, LEROY NICOLAS ROBLES JR. handed a back pack containing abalone to BAO JIAN ZHANG.

Overt Act Number 18. That in furtherance of said conspiracy, on April 5, 2006, MARTY LINN HOLLOWAY purchased a pre-paid phone card at a Rite-Aid store in Fort Bragg.

COUNT THREE

For a further and separate cause of action, being a different offense of the same class of crimes and offenses as the charges set forth in Count One and Count Two hereof: On or about April 6, 2006, in the County of Mendocino, the said LANCE ANTHONY ROBLES and MARTY LINN HOLLOWAY, did commit a felony, namely: a violation of Section 11350(a) of the Health and Safety Code of the State of California in that said defendants did unlawfully and feloniously possess a designated controlled substance, to wit, heroin.

COUNT FOUR

For a further and separate cause of action, being a different offense of a different class of crimes and offenses as the charges set forth in Count One, Two, and Three hereof: On or about April 1,

1 2006, at and in the County of San Francisco, State of California, defendants LANCE ANTHONY
2 ROBLES and MARTY LINN HOLLOWAY, and each of them, did commit a violation of
3 Section 7121 of the Fish and Game Code, purchase and sale of abalone, a misdemeanor.

4 **COUNT FIVE**

5 For a further and separate cause of action, being a different offense of a different class of crimes
6 and offenses as the charges set forth in Counts One, Two, and Three hereof: On or about April 4,
7 2006, at and in the County of San Francisco, State of California, defendants MARTY LINN
8 HOLLOWAY, and LEROY NICOLAS ROBLES JR., and each of them, did commit a violation
9 of Section 7121 of the Fish and Game Code, purchase and sale of abalone, a misdemeanor.

10 **COUNT SIX**

11 For a further and separate cause of action, being a different offense of a different class of crimes
12 and offenses as the charges set forth in Counts One, Two, and Three hereof: On or about April 6,
13 2006, at and in the County of Mendocino, State of California, defendants MARTY LYNN
14 HOLLOWAY and LANCE ANTHONY ROBLES, and each of them, did commit a violation of
15 Section 5521.5 of the Fish and Game Code, unlawful harvesting of abalone for commercial
16 purposes from a closed area, a misdemeanor.

17 **SPECIAL ALLEGATION AS TO DEFENDANT MARTY LINN HOLLOWAY**

18 It is further alleged with respect to Count One, Count Two and Count Three, pursuant to Penal
19 Code Section 667.5(b) that the Defendant MARTY LINN HOLLOWAY has suffered the
20 following prior convictions:

21 Health and Safety Code Section 11377(a) Modoc County #24482-1330 (November 9,
22 1999)

23 Penal Code Section 496(a) Modoc County #24482-13307 (November 9, 1999)

24 and that a term was served as described in Penal Code section 667.5 for said offenses, and that
25 the Defendant MARTY LINN HOLLOWAY did not remain free of prison custody for, and did
26 commit an offense resulting in a felony conviction during a period of five years subsequent to the
27 conclusion of said term.

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1 **SPECIAL ALLEGATION AS TO DEFENDANT LEROY NICOLAS ROBLES JR.**

2 It is further alleged with respect to Count One and Count Two, pursuant to Penal Code Section
3 667.5(b) that the Defendant LEROY NICOLAS ROBLES JR. has suffered the following prior
4 conviction:

5 Health and Safety Code Section 11350 – Santa Barbara Co. No. 212513 (March 28,
6 1996)

7 and that a term was served as described in Penal Code section 667.5 for said offense, and that the
8 Defendant LEROY NICOLAS ROBLES JR. did not remain free of prison custody for, and did
9 commit an offense resulting in a felony conviction during a period of five years subsequent to the
10 conclusion of said term.

11 **SPECIAL ALLEGATION AS TO DEFENDANT LEROY NICOLAS ROBLES JR.**

12 It is further alleged with respect to Count One and Count Two, pursuant to Penal Code sections
13 1170.12(a) through (d) and 667(b) through (I) that the Defendant LEROY NICOLAS ROBLES
14 JR., has suffered the following prior conviction of a serious or violent felony or juvenile
15 adjudication:

16 Penal Code Section 459 Burglary (First Degree) – Santa Barbara Co. No. 187808 (August
17 20, 1991.)

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28 Further, attached hereto and incorporated herein are official reports and documents of a law

1 enforcement agency which the undersigned believes establish probable cause for the arrest of
2 defendants LANCE ANTHONY ROBLES, MARTY LINN HOLLOWAY, and LEROY
3 NICOLAS ROBLES JR.

4
5 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND
6 CORRECT AND THAT THIS COMPLAINT CONSISTS OF SIX COUNTS.

7
8 Executed at Sacramento, County of Sacramento, on June 27, 2006

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10 
11 KATHY PONTING
12 DECLARANT AND COMPLAINANT

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14 BILL LOCKYER, ATTORNEY GENERAL OF CALIFORNIA

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16 BY: 
17 ED LOWRY, DEPUTY
18 ATTORNEY GENERAL
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DECLARATION IN SUPPORT OF ARREST WARRANT
(Made under 2015.5 CCP)

The undersigned hereby declares:

That your declarant is currently employed as a Game Warden for the Department of Fish and Game for the State of California.

That pursuant to said employment, your declarant has been assigned to investigate the allegations, to supervise investigating officers, and to review the reports of investigating officers assigned to investigate allegations that LANCE ANTHONY ROBLES, MARTY LINN HOLLOWAY, and LEROY NICOLAS ROBLES JR., did commit the crime(s) as set forth in the attached complaint.

That pursuant to said assignment, your declarant has contacted persons having knowledge of said offenses and who have prepared written reports and/or statements, and/or have received and read written reports and/or statements prepared by others known by your declarant to be law enforcement officers, whose reports and/or statements are attached hereto and incorporated by reference.

That each of these documents is presently an official record of a law enforcement agency.

WHEREFORE, your declarant prays that a warrant issue for the arrest of the herein above-named defendants and that said defendants be dealt with according to law.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on the ____ day of June, 2006, in Sacramento, California.

KATHY PONTING
Department of Fish and Game

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DECLARATION FOR BAIL DEVIATION

The undersigned hereby declares, pursuant to Penal Code Section 1269c, that there is reasonable cause for me to believe the amount of bail set forth in the felony bail schedule is insufficient to assure the appearance of MARTY LINN HOLLOWAY because of the following facts and circumstances:

1. MARTY LINN HOLLOWAY is a transient with no permanent address.
2. MARTY LINN HOLLOWAY hid from peace officers of the Department of Fish and Game when they attempted to contact him.

WHEREFORE, I request deviation from the felony bail schedule and I believe that the bail should be fixed in the sum of \$50,000.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on the ____ day of June, 2006, in Sacramento, California.

KATHY PONTING

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Executed on the ____ day of June, 2006, in Sacramento, California.

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ORDER

It appearing to the Court that probable cause exists for the issuance -of a warrant of arrest for the above -named defendants, the warrant is so ordered:

LANCE ANTHONY ROBLES	Bail: \$ <u>50,000</u>
MARTY LINN HOLLOWAY	Bail: \$ <u>50,000</u>
LEROY NICOLAS ROBLES JR.	Bail: \$ <u>50,000</u>

DATE: JUN 27 2006

LEONARD J. LA CASSE
Judge of the Superior Court of
Mendocino County

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1 UNTIL SUCH BAIL IS GIVEN. DATE OF ARRAIGNMENT IN SUPERIOR COURT WILL

2 BE: _____ at _____ a.m.

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4 Date: _____

Committing Magistrate

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ATTACHMENT 1

INFORMAL DISCOVERY REQUEST

The Attorney General hereby informally requests pursuant to Penal Code Section 1054.3 that each defendant and his or her attorney disclose the following:

- (A) The names and addresses of persons, other than the defendant, he or she intends to call as witnesses at trial, together with any relevant written or recorded statement of those persons, or reports of the statement of those persons, including any reports or statements of experts made in connection with the case, and including the results of physical or mental examinations, scientific tests, experiments, or comparisons which the defendant intends to offer in evidence at the trial.
- (B) Any real evidence which the defendant intends to offer in evidence at the trial.